

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ANTHONY DERUBEIS  
AND  
MACLYN BURNS

Plaintiffs

v.

WITTEN TECHNOLOGIES, INC.

Defendant

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CIVIL ACTION NO. 04 11137 RWZ

**PLAINTIFFS' PROPOSED PRE-TRIAL SCHEDULE**

Pursuant to Fed. R. Civ. P. 16(b), 26(f) and D. Mass. L. Civ. R. 16.1, a conference was held. The participants were: Daniel M. Rabinovitz, Esq, for Plaintiffs, and Gregg Gerlach, Esq., for Defendant.

1. Automatic disclosure under Fed. R. Civ. P. 26(a) will be served on or before Wednesday, September 21, 2005.
2. The parties anticipate that discovery will be needed on the following subjects:
  - a. The factual allegations in the Complaint and Counterclaim.
  - b. The parties' claims for damages.
3. All discovery will be completed by Monday, December 5, 2005.
4. Defendant/Counter-Plaintiff will identify its experts, if any, and produce expert discovery required by Fed. R. Civ. P. 26 by January 5, 2006.
6. All expert discovery will be completed by February 3, 2006.
7. Dispositive motions will be filed by February 15, 2006, and responded to within the time frame provided by Fed. R. Civ. P. and Local Rules.

8. Rule 16.1 Certifications will be submitted separately.

As officers of the Court, undersigned counsel agree to cooperate with each other and the Court to promote the just, speedy and inexpensive determination of this action.

The Plaintiffs  
By their Attorneys,

/s/ \_\_\_\_\_  
Daniel M. Rabinovitz, Esq.,  
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